



# THE ATTORNEY GENERAL OF TEXAS

AUSTIN, TEXAS 78711

JOHN L. HILL  
ATTORNEY GENERAL

October 21, 1974

Mr. Roy W. Stroud  
Benbow, Gross, Stroud & Stulb  
Attorneys for City of Selma, Texas  
500-B Pat Booker Road  
Universal City, Texas 78148

Open Records Decision No. 52

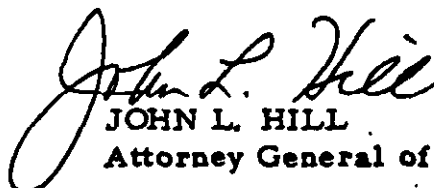
Re: Whether a municipal  
budget is required to  
be disclosed under the  
Open Records Act.

Dear Mr. Stroud:

On behalf of the City of Selma, Texas, and pursuant to the Texas Open Records Act, Art. 6252-17a, Sec. 7(a), V. T. C. S., you have asked whether the municipal budgets of the City of Selma for the years 1965 through 1974 are public information.

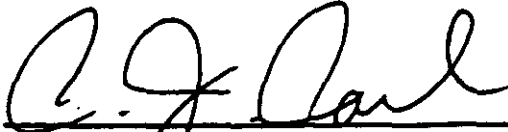
Even before the Open Records Act was passed, the Texas courts had come to recognize that certain records, which were preserved as memorials of official action or which were kept merely as a matter of convenience in the conduct of official business, were public information. Morris v. Smiley, 378 S. W. 2d 149, 152 (Tex. Civ. App. --Austin 1964, err. ref'd. n. r. e.). See Open Records Decisions Nos. 39 and 45 (1974). The budgets of the City of Selma are such public records by virtue of Articles 689a-13, 689a-14, and 689a-15, V. T. C. S. These statutes mandate the preparation and disclosure by municipal corporations of a detailed annual budget listing income and expenditures from all sources. We believe the same result also attaches under the Open Records Act and the information should be disclosed.

Very truly yours,

  
JOHN L. HILL  
Attorney General of Texas

Mr. Roy W. Stroud, page 2

APPROVED:



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C. J. CARL, Staff Legislative Assistant



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DAVID M. KENDALL, Chairman  
Opinion Committee